

### REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

As a preliminary matter Applicant notes the Office Action's acknowledgement of receipt of papers submitted under 35 U.S.C. § 119(a)-(d).

Claims 1, 3, 5, and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,043,552 to Miwa. Claims 2, 4 and 19 would be allowable if expressed in completed form.

By this amendment, claims 2 and 4 have been canceled without prejudice to or disclaimer of the subject matter contained therein. 'Withdrawn from consideration' claims 7-18 have also been canceled, whereby Applicant reserves the right to prosecute those claims in a divisional application, if desired. Claim 1 has been amended to incorporate the allowable subject matter recited in canceled claim 2. Claim 19 has been amended to include the subject matter of its base claim 1. Claims 3 and 5-6 remain unchanged.

This amendment changes, adds, and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. With claims 7-18 being withdrawn and now canceled, claims 1, 3, 5, 6 and 19 are presently pending in this application for consideration.

Applicant gratefully acknowledges the Office Action's indication that claims 2, 4 and 19 would be allowable if rewritten in independent form. Although Applicant respectfully submits that the invention which is the subject matter of the rejected claims is patentable over the cited reference, Applicant at this time intends to pursue patent protection for the subject matter of the objected to claims as described above. Amending independent claim 1 to incorporate the allowable subject matter of dependent claim 2 is not meant to concede to the appropriateness of the rejection of claim 1, but instead to merely expedite prosecution of the patent application. Therefore, Applicant submits that amended independent claim 1 and claims dependent directly or indirectly therefrom, namely claims 3, 5 and 6 are allowable as

well. Claim 19 has been amended to place that claim in independent form, and therefore claim 19 is now in condition for allowance.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 27, 2006

By Phillip J. Artiola *Reg. No.*  
38,819

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 945-6162  
Facsimile: (202) 672-5399

for / Pavan K. Agarwal  
Attorney for Applicant  
Registration No. 40,888